

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ESTATE OF MICHAEL EDWARD BELL, by
Special Administrator Michael Martin Bell,
KIM MARIE BELL,
MICHAEL MARTIN BELL, and
SHANTAE BELL,

Plaintiffs,

vs.

Case No. 05-C-1176

OFFICER ERICH R. STRAUSBAUGH,
OFFICER ERICH S. WEIDNER,
LIEUTENANT DAVID H. KRUEGER,
OFFICER ALBERT B. GONZALES,
KENOSHA POLICE DEPARTMENT,
c/o CHIEF OF POLICE DANIEL C. WADE,
and CITY OF KENOSHA,

Defendants.

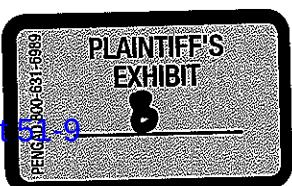
**DEFENDANT ALBERT B. GONZALES' RESPONSES TO PLAINTIFFS'
SIXTH SET OF WRITTEN INTERROGATORIES
DATED SEPTEMBER 6, 2007 AND
FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS
DATED SEPTEMBER 6, 2007**

The Defendant, Albert B. Gonzales, by his attorneys, Gunta & Reak, S.C., submits the following responses to Plaintiffs' Sixth Set of Written Interrogatories Dated September 6, 2007 and Fifth Request for Production of Documents Dated September 6, 2007.

INTERROGATORIES

INTERROGATORY NO. 1: Identify every person who has ever evaluated or examined you for mental fitness to serve as a law enforcement officer.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without



any factual basis to do so.

INTERROGATORY NO. 2: Identify every health care provider who treated or examined you as the result of the November 9, 2004 shooting.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

INTERROGATORY NO. 3: Identify every hospital, clinic, department, or other facility in which you have been treated or examined, whether on an in-patient or out-patient basis, as a result of the November 9, 2004 shooting.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

INTERROGATORY NO. 4: Identify every hospital, clinic, department or other facility, or other health care provider that has treated or examined you for any reason since you applied to begin or began your career or training in law enforcement at any level in any capacity (i.e., David Krueger, on or about January 19, 1983; Erich Strausbaugh, on or about March 1, 1995).

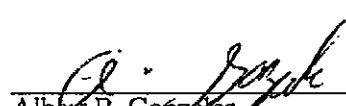
RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

REQUESTS FOR PRODUCTION

REQUEST NO. 1: Please sign medical authorizations [attached] addressed to each and every person, health care provider, hospital, clinic, department, or other facility, in response to each and every interrogatory for the release of medical records.

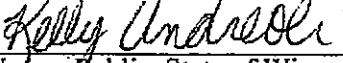
RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

Dated this 10 day of November, 2007.


Albert B. Gonzales

Subscribed and sworn to before me

this 6th day of November, 2007.


Kelly Androoli
Notary Public, State of Wisconsin
My Commission 03-29-09

AS TO OBJECTIONS:

GUNTA & REAK, S.C.
Attorneys for Defendants

By: 

Gregg J. Gunta WI State Bar No. 1004322
Kevin P. Reak WI State Bar No. 1004316
John A. Wolfgang WI State Bar No. 1045325
219 North Milwaukee Street, Fifth Floor
Milwaukee, Wisconsin 53202
Telephone: (414) 291-7979
Facsimile: (414) 291-7960
E-mail: gjg@gunta-reak.com
E-mail: kpr@gunta-reak.com
E-mail: jaw@gunta-reak.com

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ESTATE OF MICHAEL EDWARD BELL, by
Special Administrator Michael Martin Bell,
KIM MARIE BELL,
MICHAEL MARTIN BELL, and
SHANTAE BELL,

Plaintiffs,

vs.

Case No. 05-C-1176

OFFICER ERICH R. STRAUSBAUGH,
OFFICER ERICH S. WEIDNER,
LIEUTENANT DAVID H. KRUEGER,
OFFICER ALBERT B. GONZALES,
KENOSHA POLICE DEPARTMENT,
c/o CHIEF OF POLICE DANIEL C. WADE,
and CITY OF KENOSHA,

Defendants.

**DEFENDANT DAVID H. KRUEGER'S RESPONSES TO PLAINTIFFS'
SIXTH SET OF WRITTEN INTERROGATORIES
DATED SEPTEMBER 6, 2007 AND
FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS
DATED SEPTEMBER 6, 2007**

The Defendant, David H. Krueger, by his attorneys, Gunta & Reak, S.C., submits the following responses to Plaintiffs' Sixth Set of Written Interrogatories Dated September 6, 2007 and Fifth Request for Production of Documents Dated September 6, 2007.

INTERROGATORIES

INTERROGATORY NO. 1: Identify every person who has ever evaluated or examined you for mental fitness to serve as a law enforcement officer.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without

any factual basis to do so.

INTERROGATORY NO. 2: Identify every health care provider who treated or examined you as the result of the November 9, 2004 shooting.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

INTERROGATORY NO. 3: Identify every hospital, clinic, department, or other facility in which you have been treated or examined, whether on an in-patient or out-patient basis, as a result of the November 9, 2004 shooting.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

INTERROGATORY NO. 4: Identify every hospital, clinic, department or other facility, or other health care provider that has treated or examined you for any reason since you applied to begin or began your career or training in law enforcement at any level in any capacity (i.e., David Krueger, on or about January 19, 1983; Erich Strausbaugh, on or about March 1, 1995).

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

REQUESTS FOR PRODUCTION

REQUEST NO. 1: Please sign medical authorizations [attached] addressed to each and every person, health care provider, hospital, clinic, department, or other facility, in response to each and every interrogatory for the release of medical records.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

Dated this 1st day of Nov., 2007.

David H. Krueger

David H. Krueger

Subscribed and sworn to before me
this 1st day of November, 2007.

Kelly M. Androdi
Notary Public, State of Wisconsin
My Commission 03-29-09

AS TO OBJECTIONS:

GUNTA & REAK, S.C.
Attorneys for Defendants

By:

KPR

Gregg J. Gunta WI State Bar No. 1004322
Kevin P. Reak WI State Bar No. 1004316
John A. Wolfgang WI State Bar No. 1045325
219 North Milwaukee Street, Fifth Floor
Milwaukee, Wisconsin 53202
Telephone: (414) 291-7979
Facsimile: (414) 291-7960
E-mail: gjg@gunta-reak.com
E-mail: kpr@gunta-reak.com
E-mail: jaw@gunta-reak.com

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ESTATE OF MICHAEL EDWARD BELL, by
Special Administrator Michael Martin Bell,
KIM MARIE BELL,
MICHAEL MARTIN BELL, and
SHANTAE BELL,

Plaintiffs,

vs.

Case No. 05-C-1176

OFFICER ERICH R. STRAUSBAUGH,
OFFICER ERICH S. WEIDNER,
LIEUTENANT DAVID H. KRUEGER,
OFFICER ALBERT B. GONZALES,
KENOSHA POLICE DEPARTMENT,
c/o CHIEF OF POLICE DANIEL C. WADE,
and CITY OF KENOSHA,

Defendants.

**DEFENDANT ERICH R. STRAUSBAUGH'S RESPONSES TO PLAINTIFFS'
SIXTH SET OF WRITTEN INTERROGATORIES
DATED SEPTEMBER 6, 2007 AND
FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS
DATED SEPTEMBER 6, 2007**

The Defendant, Erich R. Strausbaugh, by his attorneys, Gunta & Reak, S.C., submits the following responses to Plaintiffs' Sixth Set of Written Interrogatories Dated September 6, 2007 and Fifth Request for Production of Documents Dated September 6, 2007.

INTERROGATORIES

INTERROGATORY NO. 1: Identify every person who has ever evaluated or examined you for mental fitness to serve as a law enforcement officer.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without

any factual basis to do so.

INTERROGATORY NO. 2: Identify every health care provider who treated or examined you as the result of the November 9, 2004 shooting.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

INTERROGATORY NO. 3: Identify every hospital, clinic, department, or other facility in which you have been treated or examined, whether on an in-patient or out-patient basis, as a result of the November 9, 2004 shooting.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

INTERROGATORY NO. 4: Identify every hospital, clinic, department or other facility, or other health care provider that has treated or examined you for any reason since you applied to begin or began your career or training in law enforcement at any level in any capacity (i.e., David Krueger, on or about January 19, 1983; Erich Strausbaugh, on or about March 1, 1995).

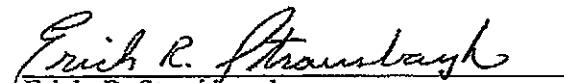
RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

REQUESTS FOR PRODUCTION

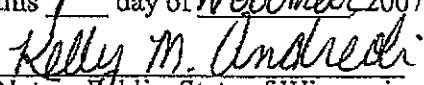
REQUEST NO. 1: Please sign medical authorizations [attached] addressed to each and every person, health care provider, hospital, clinic, department, or other facility, in response to each and every interrogatory for the release of medical records.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

Dated this 01 day of November, 2007.


Erich R. Strausbaugh

Subscribed and sworn to before me

this 1st day of November, 2007.

Kelly M. Andreen
Notary Public, State of Wisconsin
My Commission 03-29-09

AS TO OBJECTIONS:

GUNTA & REAK, S.C.
Attorneys for Defendants

By:



Gregg J. Gunta WI State Bar No. 1004322
Kevin P. Reak WI State Bar No. 1004316
John A. Wolfgang WI State Bar No. 1045325
219 North Milwaukee Street, Fifth Floor
Milwaukee, Wisconsin 53202
Telephone: (414) 291-7979
Facsimile: (414) 291-7960
E-mail: gig@gunta-reak.com
E-mail: kpr@gunta-reak.com
E-mail: jaw@gunta-reak.com

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ESTATE OF MICHAEL EDWARD BELL, by
Special Administrator Michael Martin Bell,
KIM MARIE BELL,
MICHAEL MARTIN BELL, and
SHANTAE BELL,

Plaintiffs,

vs.

Case No. 05-C-1176

OFFICER ERICH R. STRAUSBAUGH,
OFFICER ERICH S. WEIDNER,
LIEUTENANT DAVID H. KRUEGER,
OFFICER ALBERT B. GONZALES,
KENOSHA POLICE DEPARTMENT,
c/o CHIEF OF POLICE DANIEL C. WADE,
and CITY OF KENOSHA,

Defendants.

**DEFENDANT ERICH R. WEIDNER'S RESPONSES TO PLAINTIFFS'
SIXTH SET OF WRITTEN INTERROGATORIES
DATED SEPTEMBER 6, 2007 AND
FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS
DATED SEPTEMBER 6, 2007**

The Defendant, Erich R. Weidner, by his attorneys, Gunta & Reak, S.C., submits the following responses to Plaintiffs' Sixth Set of Written Interrogatories Dated September 6, 2007 and Fifth Request for Production of Documents Dated September 6, 2007.

INTERROGATORIES

INTERROGATORY NO. 1: Identify every person who has ever evaluated or examined you for mental fitness to serve as a law enforcement officer.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without

any factual basis to do so.

INTERROGATORY NO. 2: Identify every health care provider who treated or examined you as the result of the November 9, 2004 shooting.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

INTERROGATORY NO. 3: Identify every hospital, clinic, department, or other facility in which you have been treated or examined, whether on an in-patient or out-patient basis, as a result of the November 9, 2004 shooting.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

INTERROGATORY NO. 4: Identify every hospital, clinic, department or other facility, or other health care provider that has treated or examined you for any reason since you applied to begin or began your career or training in law enforcement at any level in any capacity (i.e., David Krueger, on or about January 19, 1983; Erich Strausbaugh, on or about March 1, 1995).

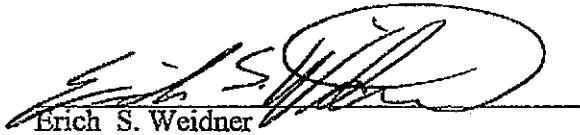
RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

REQUESTS FOR PRODUCTION

REQUEST NO. 1: Please sign medical authorizations [attached] addressed to each and every person, health care provider, hospital, clinic, department, or other facility, in response to each and every interrogatory for the release of medical records.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

Dated this 5th day of October, 2007.
November



Erich S. Weidner

Subscribed and sworn to before me
this 5th day of November, 2007.

Kelly M. Andolic
Notary Public, State of Wisconsin
My Commission 03-29-09

AS TO OBJECTIONS:

GUNTA & REAK, S.C.
Attorneys for Defendants

By: 

Gregg J. Gunta WI State Bar No. 1004322
Kevin P. Reak WI State Bar No. 1004316
John A. Wolfgang WI State Bar No. 1045325
219 North Milwaukee Street, Fifth Floor
Milwaukee, Wisconsin 53202
Telephone: (414) 291-7979
Facsimile: (414) 291-7960
E-mail: gjg@gunta-reak.com
E-mail: kpr@gunta-reak.com
E-mail: jaw@gunta-reak.com